

REMARKS

Claims 1, 7, 15, 18, 23, 26, 28, 29, 33, 35, 43, 44, 47, and 48 will be pending in this application following entry of the present amendment. Claims 2, 3, 11, 13, 16, 17, 19-22, 24, 25, 42, and 45-46 have been cancelled without prejudice to or disclaimer of the subject matter contained therein. Applicants expressly reserve the right to file continuing applications directed to the deleted subject matter. Claims 1, 23, 26, 28, and 29 have been amended. The amendments to these claims are supported by the originally-filed claims and specification. No new matter has been added by way of amendment.

Interview Summary

On April 23, 2010, a telephonic interview was held to discuss possible amendments to the claims. Claim 1 was discussed, including the definitions of R³, R⁸, and R⁹. Applicants' representative thanks the Examiner for the helpful comments offered during the telephonic interview.

The Rejection Under 35 U.S.C. §102(b) Should be Withdrawn

In the Final Office Action, claims 1-3, 16, 18, and 19 are rejected under 35 U.S.C. §102(b) on the grounds that they are not novel in view of Matsumoto *et al.* Claims 2, 3, 16, and 19 have been cancelled, rendering the rejection of these claims moot. The Matsumoto *et al.* reference does not teach compounds meeting all the limitations of claims 1 and 18 as amended. Accordingly, all grounds for rejection under 35 U.S.C. §102(b) have been obviated and the rejection should be withdrawn.

The Rejection Under 35 U.S.C. §103(a) Should be Withdrawn

In the Final Office Action, claims 1, 2, 3, 7, and 17-20 have been rejected under 35 U.S.C. §103(a) on the grounds that they are obvious in view of U.S. Patent No. 3,920,739. Claims 2, 3, 17, 19, and 20 have been cancelled to expedite prosecution, thereby making the rejection of these claims moot. The '739 patent does not teach or suggest the subject matter of claims 1, 7, and 18 as amended. Accordingly, all grounds for rejection under 35 U.S.C. §103(a) have been obviated or overcome, and the rejection should be withdrawn.

CONCLUSION

Applicants believe the present claims are in condition for allowance and such action is respectfully requested. Applicants believe that no other fees are due in connection with the filing of this paper other than those specifically authorized herewith.

Should any other fees be deemed necessary to effect the timely filing of this paper, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392. If the Examiner has any outstanding issues with the pending claims, he is encouraged to telephone the undersigned at (919) 483-1467 for expeditious handling.

Respectfully submitted,

/Kathryn L. Coulter/

Kathryn L. Coulter
Attorney for Applicants
Reg. No. 45,889

Date: 5/26/2010
Customer No. 23347
GlaxoSmithKline
Global Patents
Five Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709-3398
Telephone: (919) 483-1467
Facsimile: (919) 483-7988